



US Army Corps  
of Engineers®  
San Francisco District

Regulatory Branch  
1455 Market Street, 16<sup>th</sup> Floor  
San Francisco, CA 94103-1398

SAN FRANCISCO DISTRICT

# PUBLIC NOTICE

Project: Petaluma Hill Village

NUMBER: 400086N

DATE: November 23, 2007

RESPONSE REQUIRED BY: January 14, 2008

PERMIT MANAGER: Bryan Matsumoto

PHONE: 415-503-6786

Email: Bryan.T.Matsumoto@spd02.usace.army.mil

**1. INTRODUCTION:** CarCo Investments (POC: Mr. Kevin Carinalli; (707) 578-1302), 520 Mendocino Avenue, Suite 250, Santa Rosa, California 95401, through its agent Charles Patterson (925) 938-5263, has applied to the U.S. Army Corps of Engineers (Corps) for a Department of the Army permit to construct the Petaluma Hill Village, a residential development on a 80.82 acre project site located along Petaluma Hill Road in southeast Santa Rosa, Sonoma County, California. The duration of the permit authorization, should it be accepted, would be for 5 years from the date of issuance. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

## 2. PROPOSED PROJECT:

**Project Site:** The project is located at 3341, 3367, 3371, 3375, 3377, and 3383 Petaluma Hill Road, in the City of Santa Rosa, Sonoma County, California (APN 044-190-005; 044-091-004, -006, -007; 044-091-059, -060; 044-191-029) (Figures 1 and 2). Roughly 10 percent of the site has been developed, with the primary on-site land uses consisting of a dairy farm (with barns, feedlot pens, pasture, manure piles, and settling ponds), and several older private homes (with landscaping, gardens, and driveways). The remaining portions of the site have been heavily used and/or altered through ongoing cultivating/grazing operations.

The project site generally drains to the south/southwest, and receives a majority of water through direct precipitation and a swale that runs

through the property from a northeast to southwest direction and eventually drains into the Laguna de Santa Rosa. Site visits were performed on September 29, 2006, and January 12, 2007, to confirm the extent and location of Corps jurisdiction. Based on current conditions, the site supports 11.98 acres of jurisdictional seasonal wetlands (comprised of saturated flats, swales, shallow depressions, and larger pools) (Figure 3). Vegetation within these wetland areas consists of non-native annual grasses including Italian rye grass (*Lolium perenne*), Mediterranean barley (*Hordeum hystris*), squirrel tail fescue (*Vulpia bromioides*), rabbits-foot grass (*Polypogon monspeliensis*), and common seasonal wetland weeds, including curly dock (*Rumex crispus*), penny royal (*Mentha pulegium*), tall-flat sedge (*Cyperus eragrostis*), and cocklebur (*Xanthium strumarium*). A habitat quality evaluation has been completed for the project site, and it has been categorized as "low quality" habitat.

**Project Description:** As shown on the attached project drawings (Figures 4 and 5), the applicant has proposed to construct a 569-lot residential subdivision and attendant features. To accommodate the project, all wetlands on the project site would be filled for grading and preparation of the site for development. All work/structures would be built in accordance with the City of Santa Rosa's guidelines and standards.

**Purpose and Need:** The basic project purpose is to construct homes in the City of Santa Rosa. The applicant states that there is a need for single-family homes in the Santa Rosa area.

**Impacts:** The project would result in the permanent loss of 11.98 acres of jurisdictional wetlands. As stated above, impacts to wetlands include fill for grading and preparation of the site for development.

**Mitigation:** The applicant has proposed to purchase wetland creation at a ratio of 1:1 and endangered species preservation credits at a ratio of 1:1. All purchases will be made at agency approved mitigation banks. Presently, the applicant has reserved mitigation credits at Horn Mitigation Bank (11.98 acres of wetland creation credits), and Hale Mitigation Bank (11.98 acres of preservation credits).

### **3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:**

**National Environmental Policy Act of 1969 (NEPA):** The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398.

**Endangered Species Act of 1973 (ESA):** Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The Corps has made a determination that the project may

adversely affect federally listed species.

Species currently identified as potentially impacted by the proposed project include; Sonoma sunshine (*Blennosperma bakeri*), Burke's goldfields (*Lasthenia burkei*), Sebastopol meadowfoam (*Limnanthes vinculans*), many-flowered navarretia (*Navarretia leucocephala* ssp. *Plieantha*), and California tiger salamander (*Ambystoma californiense*). A search of the California Natural Diversity Database (CNDDB) found no observations of the species listed above on or near the project site.

**Magnuson-Stevens Fisheries Conservation and Management Act:** The NMFS and several interagency fisheries councils have designated specific water bodies as Essential Fish Habitat (EFH) in accordance with the Magnuson-Stevens Fisheries Conservation and Management Act. Due to the absence of EFH on the project site, no consultation for EFH will be completed.

### **Clean Water Act of 1972 (CWA):**

**a. Water Quality:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant has not provided the Corps with evidence that he has submitted a valid request for State water quality certification to the North Coast Regional Water Quality Control Board. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project

should write to the Executive Officer, California Regional Water Quality Control Board, North Coast Region, 5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403, by the close of the comment period of this Public Notice.

**b. Alternatives:** Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is not water dependent. The applicant has not submitted an Analysis of Alternatives and has been informed that such an Analysis is required and will be reviewed for compliance with the guidelines.

**National Historic Preservation Act of 1966 (NHPA):** If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

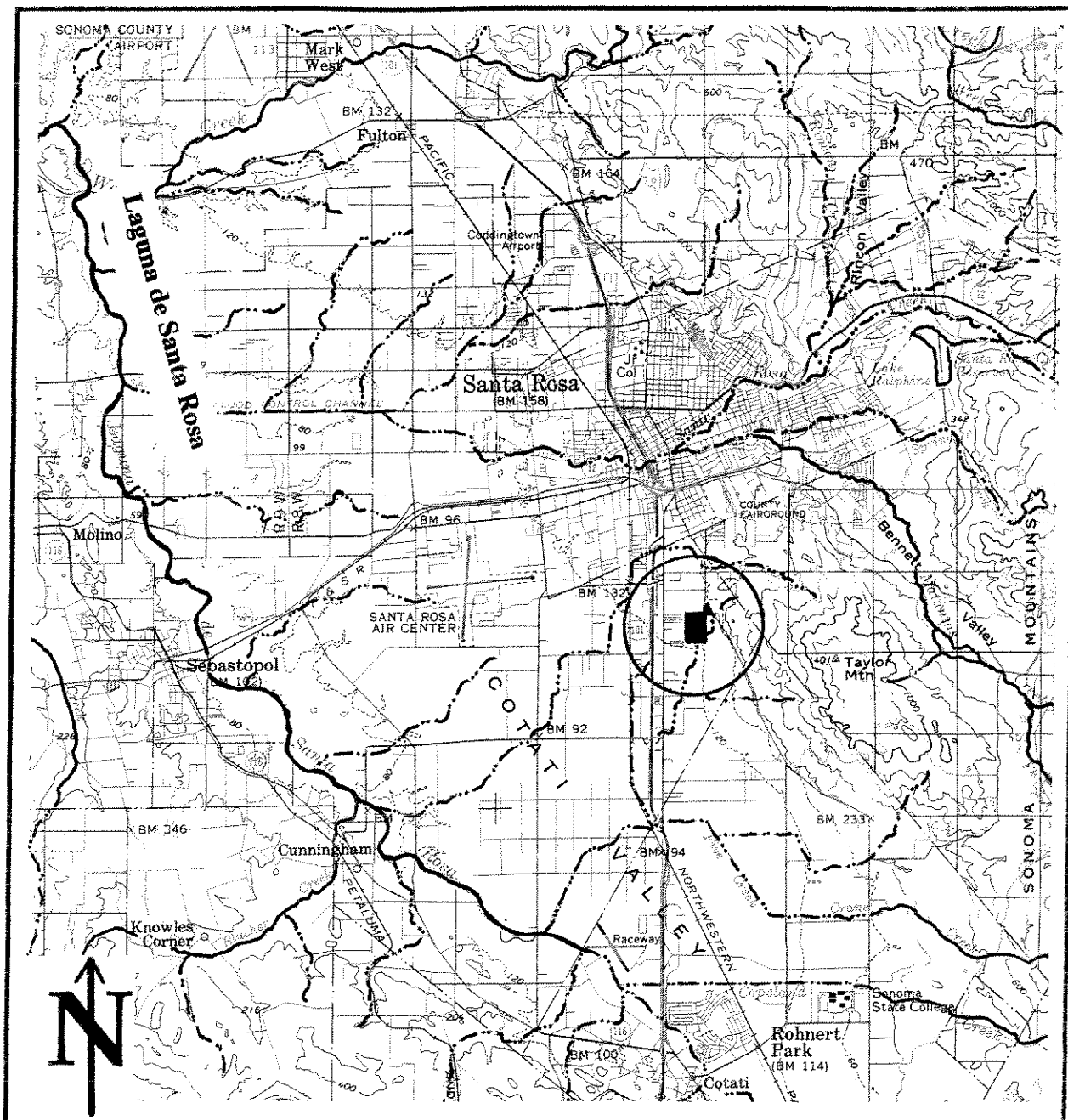
**4. PUBLIC INTEREST EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion,

recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

**5. CONSIDERATION OF COMMENTS:** The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

**6. SUBMISSION OF COMMENTS:** Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant

whose name and address are indicated in the first paragraph of this Public Notice or by contacting Bryan Matsumoto of our office at telephone 415-503-6786 or E-mail: Bryan.T.Matsumoto@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.



**Figure 1. Regional Location, Petaluma Hill Village**

**Purpose:** Fill of 11.98 acres of seasonal wetland for residential development

**Datum:** NGVD

**Adjacent landowners:**  
Provided separately

**Basemap:** USGS 1:125,000 topographic map; 'SF Bay Area' set, sheet 1 of 3

**Scale:** 1 inch = 2 miles

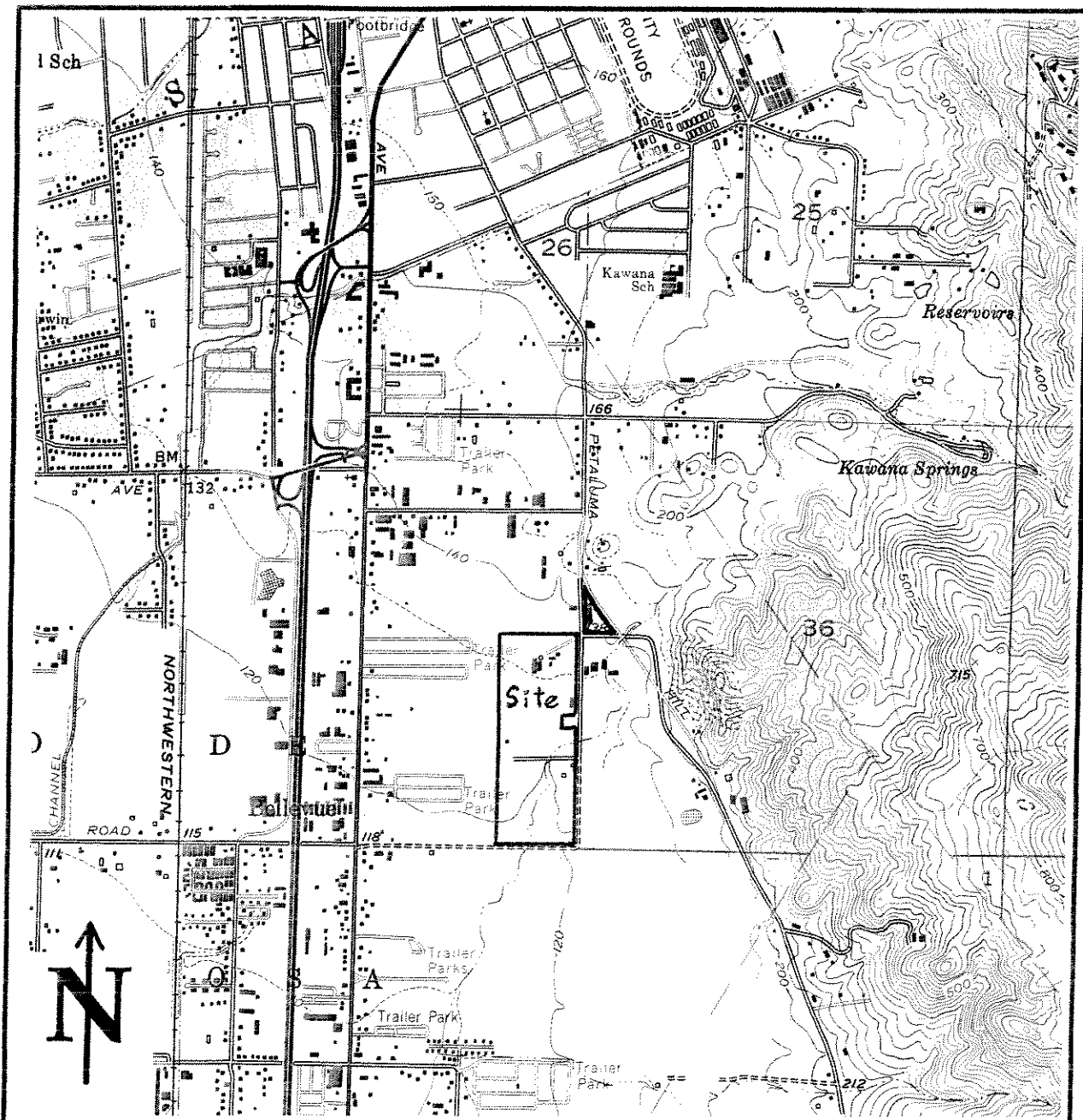
**Applicant:** Carco Investments, 520 Mendocino Ave. Suite 250, Santa Rosa, CA 95401

**In:** Ditches/swales trib. to N Br. Laguna de Santa Rosa

**At:** 3367 Petaluma Hill Rd.

**Corps File No.s** 400086N, 400088-92N, 400094N

**Sonoma County APNs:** 044-190-005; 044-091-004, -006, -007; 044-091-059, -060; 044-191-029



**Figure 2. Local Setting, Petaluma Hill Village**

**Purpose:** Fill of 11.98 acres of seasonal wetland for residential development

**Datum:** NGVD

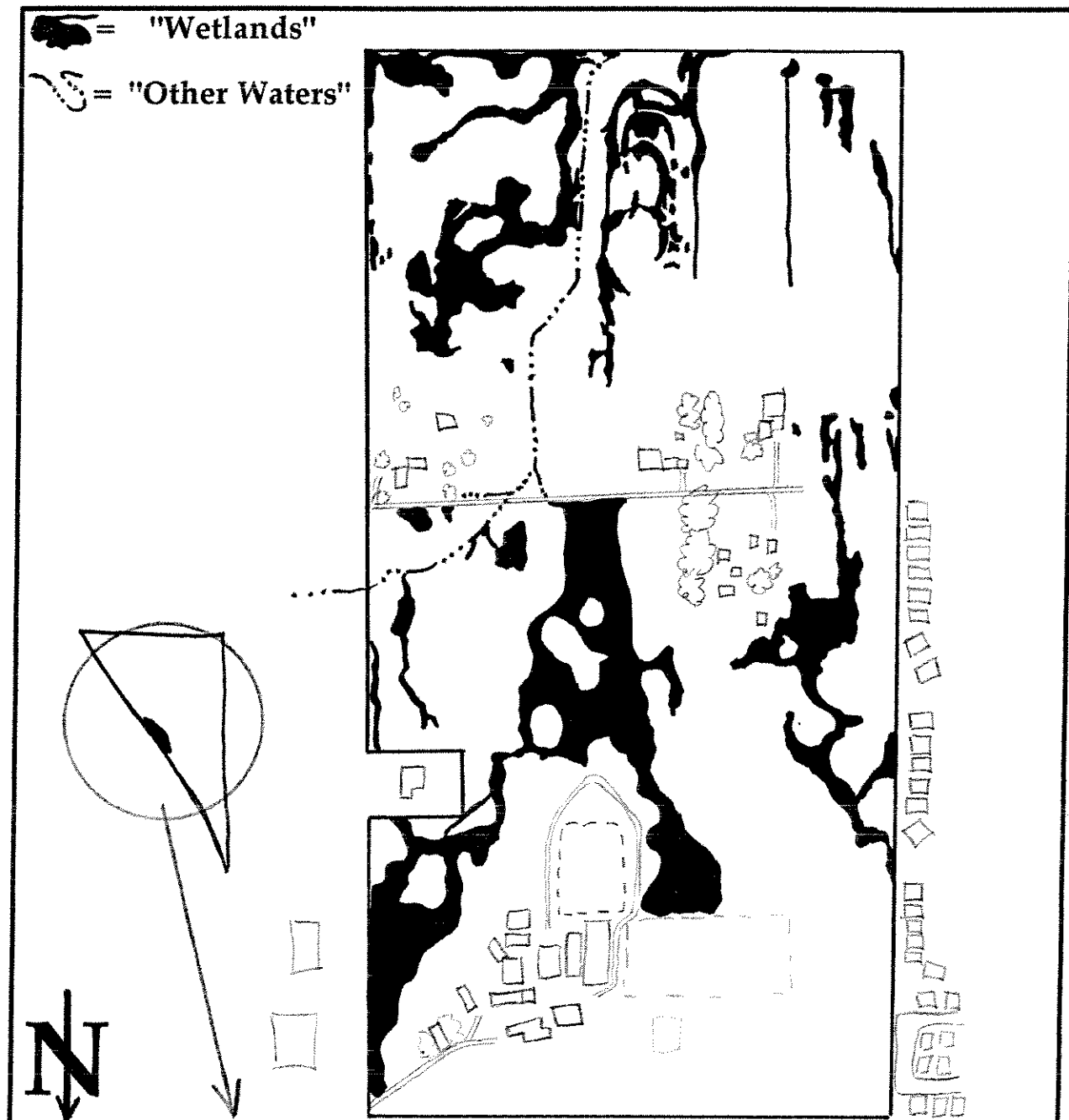
**Adjacent landowners:**  
Provided separately

**Basemap:** USGS 1:24,000 topographic map; Santa Rosa quad.

**Scale:** 1 inch = approx. 2000 feet

**Applicant:** Carco Investments, 520 Mendocino Ave. Suite 250, Santa Rosa, CA 95401

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**Corps File No.s** 400086N, 400088-92N, 400094N  
**Sonoma County APNs:** 044-190-005; 044-091-004, -006, -007; 044-091-059, -060; 044-191-029



**Figure 3. Existing Conditions, Petaluma Hill Village**

**Purpose:** Fill of 11.98 acres of seasonal wetland for residential development

**Datum:** NGVD

**Adjacent landowners:**  
Provided separately

**Basemap:** traced from 2005 color air photo

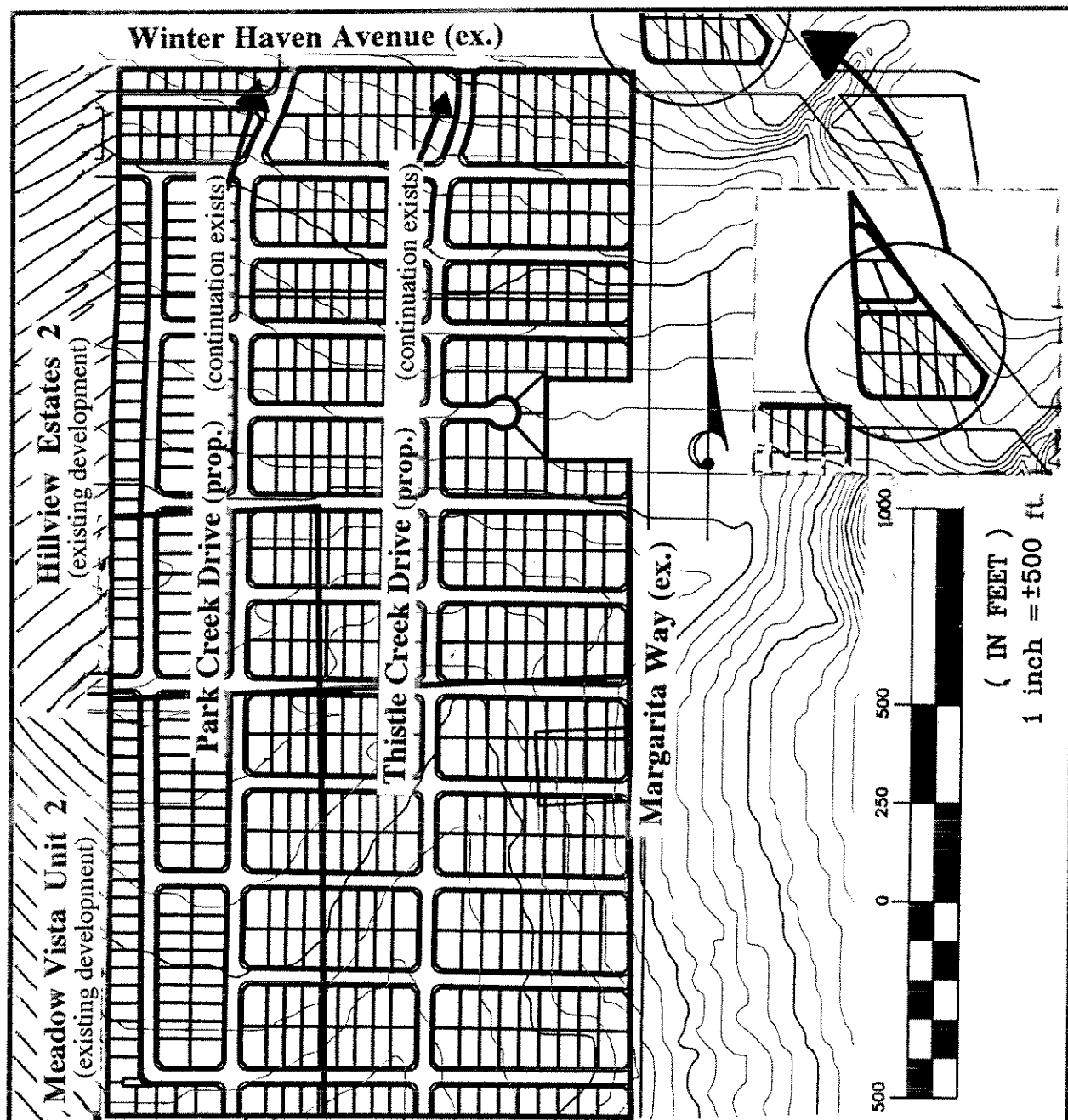
**Scale:** 1 inch = approx. 400 feet

**Applicant:** Carco Investments, 520 Mendocino Ave. Suite 250, Santa Rosa, CA 95401

**In:** Ditches/swales trib. to N Br. Laguna de Santa Rosa

**At:** 3367 Petaluma Hill Rd.  
**Corps File No.s** 400086N, 400088-92N, 400094N

**Sonoma County APNs:**  
044-190-005; 044-091-004, -006, -007; 044-091-059, -060; 044-191-029



**Figure 4. Development Layout, Petaluma Hill Village**

**Purpose:** Fill of 11.98 acres of seasonal wetland for residential development

**Datum:** NGVD

**Adjacent landowners:**  
Provided separately

**Basemap:** wetlands traced from 2005 color air photo; design by TDG Engineers  
**Scale:** 1 inch = approx. 500 feet

**Applicant:** Carco Investments, 520 Mendocino Ave. Suite 250, Santa Rosa, CA 95401

**In:** Ditches/swales trib. to N Br. Laguna de Santa Rosa  
**At:** 3367+ Petaluma Hill Rd  
**Corps File No.s** 400086N, 400088-92N, 400094N  
**Sonoma County APNs:** 044-190-005; 044-091-004, -006, -007; 044-091-059, -060; 044-191-029



## PROJECT DATA

### SITE ADDRESS:

3341,3367,3371,3375  
3383,3377 PETALUMA HILL RD.  
SANTA ROSA, CA 95403

A.P. # 044-091-(004,029,059,060,007,006)

A.P. # 044-190-005

AREA: 80.82 A.C.

NUMBER OF LOTS = 569

NUMBER OF UNITS = 569

DENSITY 7.11 UNITS PER ACRE

MINIMUM LOT SIZE = 3,470 S.F.

MAXIMUM LOT SIZE = 5,551 S.F.

AVERAGE LOT SIZE = 4,077 S.F.

PRESENT ZONING - PM

PROPOSED ZONING - R-1-2/6

WATER

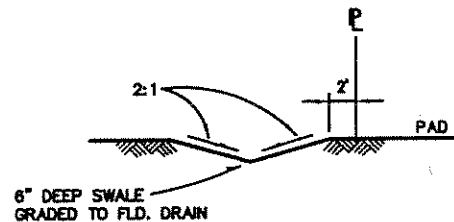
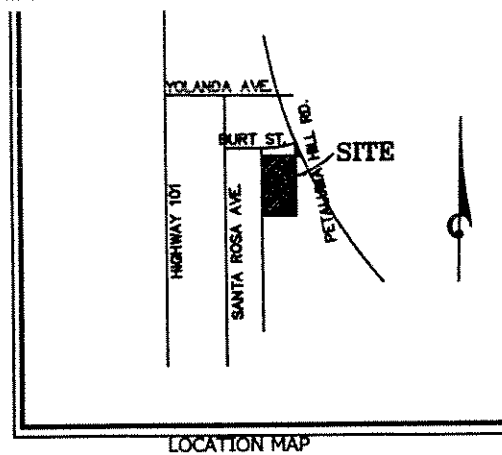
CITY OF SANTA ROSA

### SEWER

CITY OF SANTA ROSA

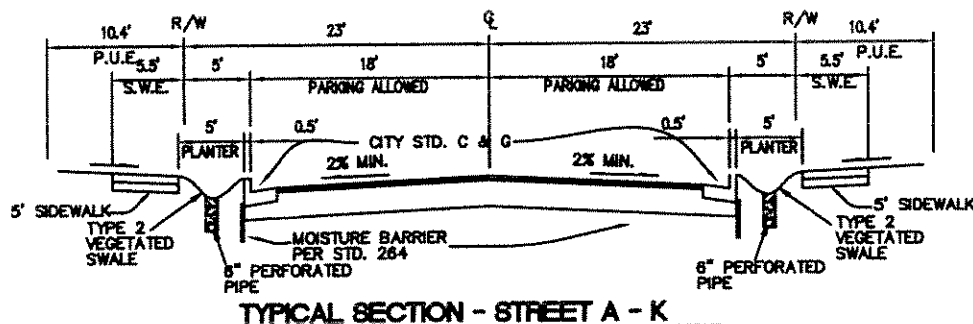
SEWAGE GENERATION:

569 x 3.25 PERSONS x 125 GALLONS  
= 221910 GALLONS PER DAY



### SWALE SECTION

N.T.S.



**Figure 5. Project Data , Petaluma Hill Village**

**Purpose:** Fill of 11.98 acres of seasonal wetland for residential development

**Datum:** NGVD

**Adjacent landowners:**  
Provided separately

**Basemap:** design work by TDG Engineers

**Scale:**

**Applicant:** Carco Investments, 520 Mendocino Ave. Suite 250, Santa Rosa, CA 95401

**In:** Ditches/swales trib. to N Br. Laguna de Santa Rosa  
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